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BEFORE THE ARIZONA CORPORATION COMMISSION

ROBERT "BOB" BURNS
Chairman

Arizona Corporation Commission

BOYD DUNN

Commissioner

SANDRA D. KENNEDY

Commissioner

JUSTIN OLSON

Commissioner

LEA MRQUEZ PETERSON

Commissioner

DOCKETED**DEC 11 2019****DOCKETED BY**

IN THE MATTER OF THE COMMISSION'S
INVESTIGATION OF THE BILLING AND
WATER QUALITY ISSUES OF JOHNSON
UTILITIES, LLC.

DOCKET NO. WS-02987A-18-0050

DECISION NO. 77493ORDER

Open Meeting
December 10 and 11, 2019
Phoenix, Arizona

**NEW SERVICE CONNECTION
RESTRICTIONS PURSUANT TO
DECISION NOS. 76397, 77209, AND
77268**

BY THE COMMISSION:

Having considered the entire record herein and being fully advised in the premises, the Arizona
Corporation Commission ("Commission") finds, concludes, and orders that:

FINDINGS OF FACT**Background**

1. Johnson Utilities L.L.C. ("Johnson" or "Company") is an Arizona Public Service
Corporation that provides water and wastewater utilities service to the public in portions of Pinal County,
Arizona.

2. On November 7, 2018, the Commission issued Decision No. 76937 that allowed for 28 new
connections to be made per month, one (1) connection per developer per community for six (6) months as
"unconditioned new connections" in Region 1, 2, and 4. The Decision also allowed for additional connections
to be made in those Regions under certain conditions set forth in the Decision.

3. On May 29, 2019, the Commission issued Decision No. 77209 that lifted the restrictions on
new utility connections in Region 4. The Commission also directed Staff to confer with the Interim Manager

1 and all interested parties to discuss if any modifications could be made to the restriction in Regions 1 and 2
2 by June 7, 2019.

3 4. On June 27, 2019, the Commission issued Decision No. 77268 that allowed the Interim
4 Manager to install no more than 28 new utility connections per month as, to be allocated as new water
5 connections per builder per community per month for six (6) months from the date of the Decision or the next
6 closest scheduled open meeting.

7 5. Based on the information provided the Interim Manager, and the comments by
8 interested parties, the Commission does not believe the meter management restrictions are still
9 needed in Regions 1 and 2. The Commission, therefore, recommends removing all restrictions on
10 new water connections in Regions 1 and 2.

11 CONCLUSIONS OF LAW

12 1. Johnson Utilities, L.L.C. is a public service corporation within the meaning of Article
13 XV of the Arizona Constitution.

14 2. Pursuant to Title 40 of the Arizona Revised Statutes and Article XV of the Arizona
15 Constitution, the Commission has the jurisdiction to regulate public service corporations.

16 3. Johnson Utilities, L.L.C. is a public service corporation.

17 4. The Commission has jurisdiction over Johnson Utilities, L.L.C., and the subject
18 matter of this filing.

19 5. EPCOR Water Arizona Inc., pursuant to the Interim Manager Agreement, is the duly
20 appointed and currently serving Interim Manager for Johnson Utilities, L.L.C.

21 6. Under Article 15, § 3 the Commission has the authority to make and enforce
22 reasonable rules, regulations and orders for the comfort, safety and preservation of the health of
23 patrons of Johnson Utilities, L.L.C.

24 7. Under A.R.S. § 321, when the Commission finds that the service or equipment of a
25 public service corporation is unsafe, inadequate, or insufficient, the Commission has the authority
26 to determine appropriate remedies and enforce those remedies by order or regulation.

27 8. It is just and reasonable and in the public interest to remove the new connection
28 restrictions in Regions 1 and 2.

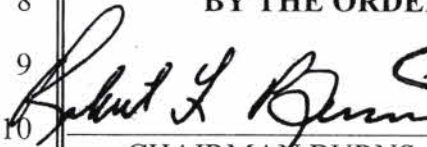
ORDER

IT IS THEREFORE ORDERED that restrictions on new water connections in Sections 1 and 2 are hereby lifted.

IT IS FURTHER ORDERED that this Decision is subject to amendment/vote for modification as to scope and duration at any time.

IT IS FURTHER ORDERED that this Decision shall become effective immediately.

BY THE ORDER OF THE ARIZONA CORPORATION COMMISSION


CHAIRMAN BURNS


COMMISSIONER DUNN

DISSENT

COMMISSIONER KENNEDY


COMMISSIONER OLSON


COMMISSIONER MÁRQUEZ PETERSON



IN WITNESS WHEREOF, I, MATTHEW J. NEUBERT, Executive Director of the Arizona Corporation Commission, have hereunto, set my hand and caused the official seal of this Commission to be affixed at the Capitol, in the City of Phoenix, this 11 day of December, 2019.


MATTHEW J. NEUBERT
EXECUTIVE DIRECTOR

DISSENT: 

DISSENT: _____

EOA:JRA:elr/NED

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